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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/675,993	10/02/2003	Hitoshi Tanaka	P23962	7797
7055	7590	08/05/2005	EXAMINER	
GREENBLUM & BERNSTEIN, P.L.C. 1950 ROLAND CLARKE PLACE RESTON, VA 20191			PRITCHETT, JOSHUA L	
			ART UNIT	PAPER NUMBER
			2872	

DATE MAILED: 08/05/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/675,993

Applicant(s)

TANAKA, HITOSHI

Examiner

Joshua L. Pritchett

Art Unit

2872

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 23 June 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-18 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-18 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 02 October 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

This action is in response to Amendment after non-final rejection file June 23, 2005.

Claims 1, 3 and 4 have been amended and claims 8-18 have been added as requested by the applicant.

Claim Objections

Claims 10 and 18 are objected to because of the following informalities: claims 10 and 18 recite the phrase, "angular grooves," the examiner believes that this is a typo and the phrase should read, "annular grooves." The claims will be examined as if the phrase where, "annular grooves." Appropriate correction is required.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

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Claims 1, 2, 6-12 and 16-18 rejected under 35 U.S.C. 102(e) as being anticipated by Azegami (US 6,437,924).

Regarding claims 1 and 11, Azegami discloses a light shileing structure of a lens barrel including an inner ring (40) and an outer ring (10) positioned outside the inner ring so that at least one of the inner ring and the outer ring rotates relative to the other (col. 4 lines 16-18), wherein the inner ring includes at least one cutout portion (70) which radially extends through the inner ring, the light shielding structure comprising an inner flange wall (42) provided with the inner ring to be positioned in front of the cutout portion in an optical axis direction (Fig. 1); a first annular groove (accepts flange 32) provided on an inner surface of the inner flange wall, the fist annular groove being centered about the optical axis (Fig. 1); a second annular groove (12) provided on an inner peripheral surface of the outer ring and a light shield ring (30) which includes a cylindrical portion centered about the optical axis (Fig. 1), and an outer flange portion (31) which extends radially outwards from a rear end of the cylindrical portion so that the cylindrical portion is inserted into the first annular groove to be slidably moveable relative thereto, and so that the outer flange portion is inserted into the second annular groove to be slidably movable relative thereto (Fig. 1; col. 3 lines 62-63).

Regarding claims 2 and 12, Azegami discloses the inner flange wall is formed as a separate member from the inner ring and the inner flange wall being provide on a front end surface of the inner ring (Fig. 1; col. 4 lines 9-11).

Regarding claims 6 and 16, Azegami discloses the lens barrel is incorporated in a camera to serve as a photographing lens barrel (col. 1 lines 6-8).

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Regarding claims 7 and 17, Azegami discloses the lens barrel comprises a retractable lens barrel which can be retracted into a camera body when not in use (col. 4 line 67 – col. 5 line 3).

Regarding claim 8, Azegami discloses the light shield ring have a generally L-shaped cross-section (Fig. 1).

Regarding claim 9, Azegami discloses the inner flange wall being fixedly mounted to a front of the inner ring (col. 4 lines 12-17).

Regarding claims 10 and 18, Azegami discloses the first annular groove extending into the inner surface of the inner flange wall in a first direction, the second annular groove extending into the inner peripheral surface of the outer ring in a second direction and the first direction and the second direction being traverse to each other (Fig. 1). The first groove is a helicoid so parts of the groove are traverse to parts of the second groove.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 3-5 and 13-15 are rejected under 35 U.S.C. 103(a) as being unpatentable over Azegami (US 6,437,924) in view of Shintani (JP 2001-215381).

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Regarding claims 3 and 13, Azegami teaches the invention as claimed but lacks reference to the use of a synthetic resin. Shintani teaches the use of synthetic resin material to create elements of a photographic lens barrel (page 16). It would have been obvious to one of ordinary skill in the art at the time the invention was made to have the Azegami reference include the material of Shintani for the purpose of providing the lens barrel with a light but resilient construction.

Regarding claims 4 and 14, Azegami teaches the invention as claimed but lacks reference to the inner flange wall being visible. Shintani teaches the use of an inner flange wall being a decorative member which forms a portion of a visible front of the lens barrel (Fig. 4). It would have been obvious to one of ordinary skill in the art at the time the invention was made to have the Azegami invention include the inner flange wall located in a visible portion of the lens barrel as taught by Shintani for the purpose of allowing the operator to inspect the operation of the light shielding apparatus.

Regarding claims 5 and 15, Azegami teaches the invention as claimed but lacks a rotating outer ring. Shintani teaches the outer ring is movable in the optical axis direction while rotating relative to the inner ring (page 15). It would have been obvious to one of ordinary skill in the art at the time the invention was made to have the Azegami invention include the rotating outer ring as taught by Shintani for the purpose of allowing the operator to make adjustments to the light shield ring by rotating the outer ring.

Response to Arguments

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Applicant's arguments, see Amendment, filed June 23, 2005, with respect to the rejection(s) of claim(s) 1 under Shintani have been fully considered and are persuasive. Therefore, the rejection has been withdrawn. However, upon further consideration, a new ground(s) of rejection is made in view of Azegami (US 6,437,924). Applicant argued that the proposed rejection by the examiner would not allow the Shintani reference to function properly.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Joshua L. Pritchett whose telephone number is 571-272-2318.

The examiner can normally be reached on Monday - Friday 7:00 - 3:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Drew A. Dunn can be reached on 571-272-2312. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

JLP



DREW A. DUNN
SUPERVISORY PATENT EXAMINER